REMARKS

In Sections 1 and 2 of the June 4, 2002 Office Action, the Examiner asserted that pursuant to 35 U.S.C. §121, Applicants are required to elect a single disclosed species from among five Groups of species identified by the Examiner. The Examiner asserted that Figures 1A-1J constitute a species Group I, that Figures 2A and 2B constitute a species Group II, that Figures 3A-3E constitute a species Group III, that Figures 4A-4D constitute a species Group IV, and that Figures 5A-5C constitute a species Group V. The Examiner further asserted that no claims are generic. Pending Claims 1-20 are listed in Appendix A for the Examiner's easy reference.

Applicants elect with traverse to prosecute claims related to the species Group I. Consonant with the Examiner's requirement that Applicants list all claims readable on Group I, Applicants respectfully assert that Claims 1-20 are all readable on Group I.

Applicants respectfully asserted that the Examiner has misunderstood the invention described in Figures 1A-1J, Figures 2A and 2B, Figures 3A-3E, Figures 4A-4D, and Figures 5A-5C. Applicants further assert that, because of this misunderstanding, the Examiner made a restriction requirement that was wholly inappropriate.

It is apparent from the species Groups identified by the Examiner that the Examiner believes that Figures 2A and 2B, Figures 3A-3E, Figures 4A-4D, and Figures 5A-5C illustrate separate and distinct prosthetic devices from the prosthetic devices shown in Figures 1A-1J. This is not the case. It is noted that the devices in Figures 1A-1J are marked by cross-sectional lines A-A, B-B and C-C. The items illustrated in Figures 2A and 2B, Figures 3A-3E, Figures 4A-4D, and Figures 5A-5C are

nothing more that cross-sectional views of different portions of the prosthetic devices shown in Figures 1A-1J.

In particular: Figures 2A-2B are cross-sectional views taken along line A-A of the prosthetic devices illustrated in Figures 1A-1H and 1J (see text of specification at page 23, last paragraph). Figures 3A-3E are cross-sectional views taken along line B-B of the prosthetic devices illustrated in Figures 1A-1J (see text of specification at page 25, first paragraph). Figures 4A-4D are cross-sectional views taken along line C-C of the prosthetic devices illustrated in Figures 1A-1J (see text of specification at page 27, second paragraph). Figures 5A-5C are cross-sectional views taken along line A-A of the prosthetic devices illustrated in Figures 1A-1J (see text of specification at page 29, last paragraph to page 30, first paragraph).

Applicants note that none of Claims 1-20 are limited in any way to a particular cross-sectional area. Put another way, Claims 1-20 are independent of any particular cross-sectional view, so that each one of Claims 1-20 may be said to cover a prosthetic device that has any combination of the shapes, outlines, and cross-sections illustrated in Figures 1A-1J, Figures 2A and 2B, Figures 3A-3E, Figures 4A-4D, and Figures 5A-5C. Applicants therefore respectfully assert that the restriction requirement is inappropriate.

SUMMARY

If any further issue arises, or if the Examiner has any suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ***wmunck@davismunck.com***.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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Date: July 5, 2002

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APPENDIX A

1. A prosthesis adapted for contact with the sclera of an eyeball, said prosthesis comprising:

a central body portion having a first end and a second end, at least one end portion extending from either said first or second end of said central body portion, said at least one end portion having a width greater than said central body portion,

said central body portion having a bottom surface which is curved along a long axis of said prosthesis,

wherein a curvature of said bottom surface is greater than a curvature of an innermost surface of a scleral pocket or tunnel into which said prosthesis is to be implanted,

wherein said prosthesis is adapted to expand a portion of a sclera proximate to the scleral pocket or tunnel when said prosthesis is inserted within said scleral pocket or tunnel, and

wherein said end portion is adapted to rest on a portion of said sclera outside said scleral pocket or tunnel when said prosthesis is inserted within said scleral pocket or tunnel and to inhibit rotation of said prosthesis within said scleral pocket or tunnel.

2. The prosthesis according to claim 1, wherein said at least one end portion has a width greater than a width of said scleral pocket or tunnel into which said prosthesis is to be implanted.

3. The prosthesis according to claim 1, wherein said central body portion tapers steeply from a thickness of said central body portion to a thickness of said at least one end portion within a region where said at least one end portion joins said central body portion.

4. The prosthesis according to claim 1, wherein said prosthesis has an overall arcuate shape.

5. The prosthesis according to claim 1, wherein said at least one end portion has a flat bottom surface.

6. The prosthesis according to claim 1, further comprising:

a tapered end portion extending from one of said first or second ends opposite another of said first and second ends from which said at least one end portion extends.

7. The prosthesis according to claim 1, further comprising:

at least one groove within a surface of an end portion extending from one of said first or second ends opposite another of said first and second ends from which said at least one end portion extends.

8. A vision correction structure, comprising:

a plurality of arcuate prostheses positioned within scleral pockets or tunnels around a cornea of an eye.

9. The vision correction structure according to claim 8, wherein said plurality of arcuate prostheses are equidistantly spaced.

10. A vision alteration structure, comprising:

at least one prosthesis for insertion into a pocket or tunnel within a sclera for an eye, comprising:

a body having a central portion and at least one end portion integrally formed with and extending from an end of said central portion, said at least one end portion being wider and thinner than said central portion,

said central portion having at least one curved surface for contacting an inner surface of said scleral pocket or tunnel into which said prosthesis is to be implanted,

wherein said prosthesis is adapted to expand a portion of a sclera proximate to said scleral pocket or tunnel when said prosthesis is inserted within said scleral pocket or tunnel.

11. The vision alteration structure according to claim 10, wherein said at least one end portion rests on a surface of said sclera outside said scleral pocket or tunnel when said prosthesis is inserted within said scleral pocket or tunnel.

12. The vision alteration structure according to claim 10, wherein said at least one end portion further comprises:

two end portions integrally formed with and extending from opposing ends of said central portion, each end portion wider and thinner than said central portion and resting on a surface of said sclera outside said scleral tunnel when said prosthesis is inserted within said scleral tunnel.

13. The vision alteration structure according to claim 10, wherein said at least one end portion is wider than said scleral pocket or tunnel when said prosthesis is inserted within said scleral tunnel.

14. The vision alteration structure according to claim 13, wherein said at least one end portion is sized to pass through said scleral tunnel as said prosthesis is inserted into said scleral tunnel.

15. The vision alteration structure according to claim 10, wherein a portion of said prosthesis including a region where said central portion joins said at least one end portion tapers steeply from a thickness of said central portion to a smaller thickness of said at least one end portion.

16. The vision alteration structure according to claim 10, wherein said at least one prosthesis has an overall arcuate or angled shape.

17. The vision alteration structure according to claim 10, wherein said at least one end portion has a bottom surface including a flat region.

18. The vision alteration structure according to claim 10, further comprising:
a tapered end portion integrally formed with and extending from an end of said central portion opposite said at least one end portion.

19. The vision alteration structure according to claim 10, further comprising:
at least one position retaining groove within a surface of an end portion integrally formed with and extending from an end of said central portion opposite said at least one end portion.

20. The vision alteration structure according to claim 10, further comprising:
a plurality of additional prostheses each having a structure of said at least one prosthesis, said plurality of additional prostheses and said at least one prosthesis positioned within equidistantly spaced scleral pockets or tunnels around a cornea of an eye.